

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5
Prelim
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1/24/03

In re application of:) Group Art Unit: TBA
PEACH et al.) Examiner: TBA
Filed: Concurrently herewith) Attorney Docket: GH-01383
Serial No.: TBA)
Title: ROCK BORING DEVICE) July 20, 2001

DIRECTOR OF PATENTS
WASHINGTON, D.C. 20231
ATTN: Box PCT

PRELIMINARY AMENDMENT
SUBMITTED WITH NATIONAL PHASE FILING OF
PCT INTERNATIONAL APPLICATION NO. PCT/AU00/00030,
PURSUANT TO 35 U.S.C. §371

Sir/Madam:

Before calculating the filing fee and examining the national phase application that is submitted for filing along with this Preliminary Amendment, please amend the application as directed below.

IN THE CLAIMS

Please cancel claims 8-10.

Please amend claims 1-7 and 11-13 to read as follows. (The claims have been amended to comport with 37 C.F.R. §1.121(c)(1)(i). Accompanying this Amendment is Appendix I in which a marked-up copy of the revised claims is provided showing all changes (i.e., with deletions enclosed in brackets and additions underlined), pursuant to 37 C.F.R. §1.121(c)(1)(ii).)

1. (Amended) A rock boring device including a rotary disc cutter, wherein said rotary disc cutter is driven in an oscillating manner and at least one of driven and free to nutate.

Sub
(B)